

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF OKLAHOMA**

RODNEY HUGHES,

Plaintiff,

v.

OKLAHOMA VETERANS CENTER,

Defendants.

Case No. 19-CIV-377-RAW

ORDER

Before the court is Plaintiff's Motion for Leave to Proceed *in Forma Pauperis* [Docket No. 3]. Plaintiff is married. He is on Social Security Disability and his wife is employed as a home health care provider. Plaintiff shows total income of \$1,199.00 per month to pay for housing and monthly obligations.

A court "has discretion in deciding whether or not to grant a civil litigant permission to proceed IFP." *Brewer v. City of Overland Park Police Dept.*, 24 Fed.Appx. 977, 979 (10th Cir. 2002)(citing 28 U.S.C. § 1915(a)). *See also, Brown v. Yellow Freight Trucking*, 2013 WL 85431 (E.D. Cal.); *Freeman v. Donahoe*, 2011 WL 3489853 (W.D.Ark.); and *Brustrom v. Astrue*, 2010 WL 4683887 (W.D.Ark.).

Based on Plaintiff's motion, the court believes that the Plaintiff is financially able to pay the four hundred dollar (\$400.00) filing fee in monthly payments. Accordingly, Plaintiff's Motion for Leave to Proceed *in Forma Pauperis* [Docket No. 3] is hereby GRANTED in part and DENIED in part. Plaintiff shall pay \$25 per month toward the filing fees in this matter. Plaintiff shall make the \$25 payment to the district court clerk on or before the fifth day of each month, with the first payment due on **December 18, 2019**. Failure to pay the filing fee as directed could result in this matter being dismissed pursuant to the Federal Rules of Civil Procedure.

Dated this 12th day of November, 2019.

A handwritten signature in cursive script, reading "Ronald A. White". The signature is written in dark ink and is positioned above a horizontal line.

HONORABLE RONALD A. WHITE
UNITED STATES DISTRICT JUDGE
EASTERN DISTRICT OF OKLAHOMA